

1 BREND A H. ENTZMINGER  
2 Nevada Bar No. 9800  
3 PHILLIPS, SPALLAS & ANGSTADT LLC  
4 504 South Ninth Street  
5 Las Vegas, NV 89101  
(702) 938-1510

6 *Attorneys for Defendant*  
7 *Wal-Mart Stores, Inc.*

8  
9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 JAMES PITTS,

12 Plaintiff,

13 v.

14 WAL-MART STORES, INC., and/or DOES 1  
15 through 100, and/or ROE CORPORATIONS 1  
16 through 100, JOHN D. BRUSH AND  
17 COMPANY, d/b/a Sentry Group, Incorporated,  
18 and/or DOES 101 through 200, and/or ROE  
19 CORPORATIONS 101 through 200,

20 Defendants.

21 Case No: 2:13-cv-02077-MMD-PAL

22 [Clark County District Court Case No.:  
23 A-13-689593-C, Dept. No. XXXII]

24 **STIPULATION TO REMAND CASE TO**  
**STATE COURT**

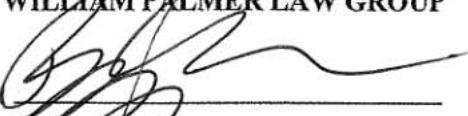
25  
26 Defendant, WAL-MART STORES, INC. ("Walmart" and/or "Defendant"), by and through  
27 its attorney, Brenda Entzminger, of the law offices of PHILLIPS, SPALLAS & ANGSTADT, LLC,  
28 and Plaintiff, JAMES PITTS, by and through his attorney, William Palmer, of the William Palmer  
Law Group, do hereby stipulate to remand this matter to state court without prejudice.

29 Plaintiff does not dispute the existence of diversity in this matter. This stipulation to remand is  
30 based on Plaintiff's averment that the amount in controversy is not met. The parties hereby stipulate  
31 that this matter be remanded to the Eighth Judicial District Court Arbitration Program and, therefore,  
32 seek an order by this Court remanding this matter and judicially estopping Plaintiff from seeking  
33 damages over \$50,000. The parties stipulate that Plaintiff will not seek or file a Petition for  
34 Exemption from the Arbitration Program and that the proper venue is Arbitration.

1       Defendant reserves the right to remove this matter back to Federal Court should new evidence  
2 or damages be presented that the jurisdictional limit of \$75,000 would be satisfied.

3       DATED this 14 day of November, 2013.

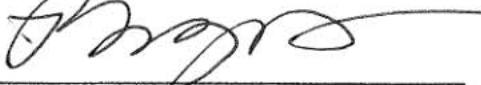
4       **WILLIAM PALMER LAW GROUP**

5         
6       William Palmer  
7       THE WILLIAM PALMER LAW GROUP  
8       600 S. Rancho Drive, Suite 110  
9       Las Vegas, Nevada 89106

10      *Attorney for Plaintiff*

11      DATED this 21st day of November, 2013.

12      **PHILLIPS, SPALLAS & ANGSTADT**

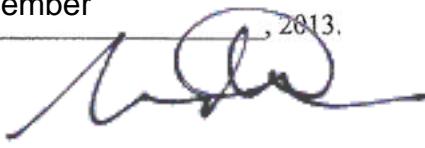
13         
14       Brenda Entzminger  
15       PHILLIPS SPALLAS & ANGSTADT  
16       504 South Ninth Street  
17       Las Vegas, Nevada 89101

18      *Attorneys for Defendant  
19      Wal-Mart Stores, Inc.*

20      **ORDER**

21      IT IS SO ORDERED.

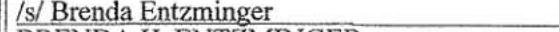
22      DATED this 21st day of November

23        
24      , 2013.

25      **UNITED STATES DISTRICT COURT JUDGE**

26      Respectfully submitted by:

27      **PHILLIPS, SPALLAS & ANGSTADT LLC**

28        
29      /s/ Brenda Entzminger  
30      BRENDA H. ENTZMINGER  
31      Nevada Bar No. 9800  
32      504 South Ninth Street  
33      Las Vegas, NV 89101  
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35      *Attorneys for Defendant  
36      Wal-Mart Stores, Inc.*